

George Clark, Andrew Anderson, N. N. Hamilton, John Sorenson, W. A. Scrivner.

Branch Pilots for Port Aransas:

James E. Cotter, C. M. Roberts, Cooper B. Walker.

Public Weighers—Miscellaneous:

Frank Cummins, W. L. Goodman, J. H. Montgomery, S. J. McKinney.

State Highway Commissioner:

George D. Armistead.

Branch Pilot, Mouth of Brazos River and Bar:

E. G. Smith.

Directors, Board of A. & M. College: Walter Lacy, P. L. Downs Jr.

Board of Regents, State Teachers College: A. B. Mahew, Fred A. Martin, H. T. Musselman.

Board of Prison Commissioners:

H. L. McKnight.

Livestock Sanitary Commission:

J. B. Moore.

State Board of Pharmacy: C. A. Eiland, J. B. Ray.

Commission of Appeals—Section "A": J. N. Gallagher, H. C. Randolph.

Commission of Appeals—Section "B": J. W. McClendon, W. C. Blanks.

#### Adjournment.

On motion of Senator Strong, the Senate, at 6:45 o'clock p. m., adjourned until tomorrow morning at 9:30 o'clock.

#### APPENDIX.

##### Committee Report.

Committee Room.

Austin, Texas, January 19, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have carefully examined and compared

S. B. No. 62, and find the same correctly engrossed.

STRONG, Chairman.

#### SEVENTH DAY.

Senate Chamber,  
Austin, Texas;

Tuesday, January 20, 1925.

The Senate met at 9:30 a. m., pursuant to adjournment, and was called to order by President Pro Tem Wirtz.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Floyd.	Stuart.
Parnell.	

Absent—Excused.

Bailey.	Murphy.
Lewis.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Ward.

#### Simple Resolution No. 14.

By Senator Pollard:

Whereas, it is a custom for the Senate to have photographs of its members made, framed and hung in the Senate Chamber, the expenses to be paid out of the contingent fund of the Senate.

Now, therefore, be it resolved that the Lieutenant Governor be and is hereby authorized to appoint a committee of three senators to arrange with a photographer to make said photographs at a specific price and report same to this Senate for ratification and confirmation.

POLLARD,  
PRICE.

The resolution was read and adopted.

#### Bills and Resolutions.

By Senators Fairchild and Woodward:

S. B. No. 82, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas,

as amended by Chapter 34, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, extending the term of said Commission to the last Saturday in June, 1925, and providing for the appointment of judges for said extended term providing for the extension of the term of said Commission from the last Saturday in June, 1925, until the last Saturday in June, 1931, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Morning call concluded.

#### Executive Message.

The Chair here submitted the following message from the Governor, received at this hour, which message was read and referred to Committee on Nominations.

Austin, Texas, January 20, 1925.  
To the Members of the Texas Senate,  
Thirty-ninth Legislature.

Gentlemen: I hereby submit to you, for your advice, consent and confirmation, the following appointments as members of the Board of Regents of the University of Texas:

(1) Cullen F. Thomas, Dallas, Texas, to fill the place made vacant by virtue of the fact that the Senate failed and declined to confirm the appointment of Charles E. Marsh of Austin, heretofore made by me.

(2) W. W. Woodson, Waco, Texas, to fill the place made vacant by virtue of the fact that the Senate failed and declined to confirm the appointment of Dr. Joe Wooten of Austin, heretofore made by me.

(3) T. W. Davidson of Marshall, Texas, to fill the place made vacant by virtue of the fact that the Senate failed and declined to confirm the appointment of Earl C. Hank-

amer of Sour Lake, heretofore made by me.

(4) Miss Florence Sterling, Houston, Texas, to fill the place made vacant by virtue of the fact that the Senate failed and declined to confirm the appointment of W. S. Whaley of Cleburne, heretofore made by me.

I also submit to you, for your advice, consent, and confirmation the appointment of Lynch Davidson, Houston, Texas, as a member of the Board of Regents of the Texas Technological College, to fill the place made vacant by virtue of the fact that the Senate failed and declined to confirm the appointment of H. M. Hargrove of Beaumont, heretofore appointed by me.

Respectfully submitted,

PAT M. NEFF,

Governor.

#### Inauguration Ceremonies.

Senator Floyd, Chairman of the committee to provide for the Inauguration of the Governor and Lieutenant Governor, moved that the Senate, in accordance with a concurrent resolution adopted, repair to the House of Representatives at 11:50 o'clock a. m. to take part in the Inaugural Services.

The motion was adopted.

On motion of Senator Strong the Senate, at 9:50 stood at ease until 10:30 o'clock this forenoon.

At 10:30 the Senate was called to order by President Pro Tem Wirtz, and after receiving two committee reports, was further at ease subject to call of Chair.

Pending being at ease, the Senate was called to order by Lieutenant Governor Davidson, at 11:15 o'clock.

Lieutenant Governor Davidson made announcement regarding the inaugural ceremonies. Following the announcement, Senators Holbrook and Parnell, moved that the inaugural ceremony be held in the open, in lieu of within the House.

Senator Wood made the point of order that the matter came too late, and the chair sustained the point of order.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, January 20, 1925.  
Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Joint Resolution Report on the Inauguration Ceremonies.

Respectfully,  
C. L. PHINNEY,  
Chief Clerk, House of Representatives.

INAUGURATION OF GOVERNOR  
AND LIEUTENANT  
GOVERNOR.

(In Joint Session.)

In accordance with the arrangements the Senate at 11:30 o'clock a. m. repaired, in a body, to the House of Representatives to take part in the inauguration of the Governor and Lieutenant Governor.

At the hour of 12 o'clock m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in joint session for the purpose of inaugurating the Governor-elect and Lieutenant Governor-elect, the honorable Senate were announced at the bar of the House and, by direction of the Speaker, were admitted.

Escorted by the Sergeant-at-Arms of the Senate, W. A. Holt; the Secretary of the Senate, W. V. Howerton, and the Journal Clerk of the Senate, R. M. Gilmore, the Senators advanced into the Hall and, by direction of the Speaker of the House, occupied seats prepared for them along the aisle.

The President Pro Tempore of the Senate, Hon. A. J. Wirtz, by invitation of the Speaker, occupied a seat on the Speaker's stand, on the right of the Speaker.

Hon. Miriam A. Ferguson, Governor-elect, and Hon. Barry Miller, Lieutenant Governor-elect, and their company, being announced at the bar of the House, were admitted and conducted to the Speaker's stand, where they were invited to seats.

Hon. A. J. Wirtz, President Pro Tempore of the Senate, directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Berkeley.	Floyd.
Bledsoe.	Hardin of Erath.
Bowers.	Hardin of Kaufman.
Davis.	Holbrook.
Fairchild.	Miller.

Moore of Hunt.	Smith.
Moore of Cooke.	Strong.
Parnell.	Stuart.
Parr.	Triplett.
Price.	Ward.
Pollard.	Wirtz.
Real.	Witt.
Reid.	Wood.
Russek.	Woodward.

Absent.

Lewis.	Murphy.
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Absent—Excused.

Bailey.

Senator Wirtz, the President Pro Tempore of the Senate, announced a quorum of the Senate present.

Speaker Satterwhite directed the Clerk to call the roll of the House.

The roll of the House was called, and the following members were present:

Albritton.	Frnka.
Alexander	Graves.
of Bastrop.	Gray.
Amsler.	Harper.
Atkinson.	High.
Baker of Orange.	Hollowell.
Barker.	Hoskins.
Bateman.	Houston.
Bean.	Hull.
Bedford.	Irwin.
Bird.	Jacks.
Boggs.	Jasper.
Brown.	Johnson.
Bryant.	Jordan.
Cade.	Justice.
Chitwood.	Kemble.
Coffey.	Kenyon.
Conway.	King.
Coody.	Kinnear.
Covey.	Kittrell.
Cox of Lamar.	Laird.
Cummings.	Lane of Hamilton.
Dale.	Lane of Harrison.
Daniels.	Lipscomb.
Davis of Dallas.	Loftin.
Davis of Wood.	Low.
DeBerry.	McBride.
Dielmann.	McDonald.
Dinkle.	McDougald.
Donnell.	McFarlane.
Downs.	McGill.
Dunlap.	McKean.
Dunn of Falls.	McNatt.
Dunn of Hopkins.	Mankin.
Durham.	Masterson.
Enderby.	Maxwell.
Farrar.	Merritt.
Faulk.	Moore.
Finlay.	Montgomery.
Foster.	Parish.

Pavlica.	Smyth.
Pearce.	Sparks.
Perdue.	Stell.
Petsch.	Stevens.
Poage.	Stevenson.
Pope.	Stout.
Purl.	Strong.
Rawlins.	Taylor.
Raymer.	Teer.
Rice.	Thompson.
Robinson.	Tomme.
Rogers.	Veatch.
Rowell.	Wade.
Rowland.	Walker.
Runge.	Wallace.
Sanford.	Webb.
Shearer.	Wells.
Sheats.	Westbrook.
Simmons.	Wester.
Sinks.	Williamson.
Smith of Nueces.	Wilson.
Smith of Travis.	Young.

## Absent.

Acker.	Hagaman.
Alexander	Hall.
of Limestone.	Harman.
Baker of Panola.	Jones.
Avis.	Kayton.
Barron.	Nicholson.
Bartlett.	Pool.
Blount.	Powell.
Bobbitt.	Renfro.
Bonham.	Simpson.
Carter.	Stautzenberger.
Cox of Navarro.	Storey.
Fields.	Woodruff.
Florence.	

The Speaker announced a quorum of the House present.

Rev. L. Valentine Lee, rector of St. David's Episcopal Church, Austin, Texas, at the request of the Speaker, offered prayer.

Speaker Satterwhite then directed the Clerk to read the report of the joint committee to arrange for the inauguration of Governor and Lieutenant Governor.

The Clerk then read the report as follows:

Austin, Texas, January 20, 1925.

Hon. T. W. Davidson, President of the Senate, and Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sirs: Your committee appointed to arrange for the inauguration of the Governor and Lieutenant Governor beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of Rep-

resentatives on Tuesday, the 20th day of January, A. D. 1925, at 12 o'clock noon, at which time the joint committee will escort the Governor-elect and the Lieutenant Governor-elect to the Speaker's stand, and the oath of office will be administered to them by Hon. C. M. Cureton, Chief Justice of the Supreme Court of Texas.

FLOYD,  
STRONG,  
REID,  
WITT,  
WOOD,

On the Part of the Senate.

BLOUNT,  
POOL,  
IRWIN,  
DINKLE,  
HAGAMAN,

On the Part of the House.

The Speaker of the House, and the President Pro Tempore of the Senate, then announced that the two houses were in joint session for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect.

Hon. Barry Miller, Lieutenant Governor-elect, then came forward and took the constitutional oath of office, which was administered to him by Chief Justice C. M. Cureton, and he also affixed his signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Hon. A. J. Wirtz, being presented to joint session by the Speaker of the House, presented Hon. T. W. Davidson, retiring Lieutenant Governor, to the joint session and the assemblage.

Hon. T. W. Davidson then addressed the joint session and the assemblage and in turn introduced Hon. Barry Millier, Lieutenant Governor.

Lieutenant Governor Barry Miller then addressed the joint session and the assemblage.

Hon. Miriam A. Ferguson, Governor-elect, then came forward and took the constitutional oath of office, which was administered to her by Chief Justice C. M. Cureton and she affixed her signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Lieutenant Governor Davidson presented Speaker Satterwhite, who presented Hon. Pat M. Neff.

Hon. Pat M. Neff addressed the joint session and the assemblage and presented Hon. Miriam A. Ferguson to the joint session and the assemblage.

Hon. Miriam A. Ferguson, Governor of Texas, then addressed the joint session and the assemblage.

Hon. A. J. Durham of Uvalde County, on behalf of the members of the House, presented Mrs. Ferguson and Mr. Neff with bouquets of flowers.

#### Senate Retires.

The President Pro Tempore of the Senate, Hon. A. J. Wirtz, stated the business of the joint session being completed, the Senate would retire to its chamber.

The Senate then, at 1 o'clock p. m., retired to its chamber.

#### In the Senate.

On returning to the Senate from the Joint Session, Lieutenant Governor Barry Miller presided.

#### Adjournment.

On motion of Senator Holbrook the Senate, at 1:10 p. m., adjourned until 2 o'clock tomorrow afternoon.

### APPENDIX.

#### Committee Reports.

Committee Room,  
Austin, Texas, January 20, 1925.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 46, A bill to be entitled "An Act authorizing any private corporation for profit, hereafter or heretofore organized under the laws of this State, other than corporations authorized to conduct a banking or insurance business, to issue shares of its stock without nominal or par value, in such classes, with such preferences and for such consideration as may be prescribed and specifying the form of certificate for such stock; and providing for filing with Secretary of State statement showing total shares of all stock to be issued, classes thereof and actual consideration received by the corporation for shares issued without nominal or par value; and providing for not less than ten per cent of au-

thorized number of said shares to be subscribed and paid for; and providing for the payment to the State of filing fees and franchise tax on stock without nominal or par value and determining the basis for computing such fees and tax; and providing for constituting outstanding shares of stock without nominal or par value and regulating and prescribing the method thereof; exempting corporations issuing shares without nominal or par value from provisions of Articles 1125 to 1130 inclusive, and Article 1141 of Revised Civil Statutes; and providing a penalty for a refusal or failure to make and file any report or certificate required by this Act; and providing the privileges and powers of this Act shall be in addition to and not in restriction or limitation of those now conferred by law, and that invalidity of part of this Act shall not affect or impair other provisions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,  
Austin, Texas, January 20, 1925.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 67, A bill to be entitled "An Act to amend Chapter 32, Acts of the Regular Session of the Thirty-fifth Legislature, the same being entitled, 'An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled 'An Act to aid the City of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston County for a period of fifteen years, and to provide a penalty for their misapplication, by extending the provisions of said Act for a period of ten years from September 1, 1918,' by extending the provisions of said Act for a period of ten years from September 1, 1928."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

### EIGHTH DAY.

Senate Chamber,  
Austin, Texas.

Wednesday, January 21, 1925

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

### Absent—Excused.

Bailey.	Wirtz.
Lewis.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

### Excused.

Senator Wirtz for today, on account of important business, on motion of Senator Holbrook.

### Executive Messages.

The Chair recognized the doorkeeper and received the following message from the Governor:

Executive Department,  
Austin, Texas, January 20, 1925.  
To the Honorable Thirty-ninth Legislature.

Gentlemen: In pursuance to my duties as Governor, I herewith pre-

sent for your respectful consideration the following matters pertaining to the condition of the State, needed legislation and the estimates of the amount of money required to be raised by taxation for all purposes, to-wit:

### State Finances.

From the best information obtainable from the office of the Comptroller and Board of Control, there appears to be a deficiency in general revenue in round numbers amounting to \$2,000,000 for the fiscal term ending August 31, 1925. There appears to be a reasonable expectancy that the revenue from the usual sources for the next two fiscal years ending August 31, 1927, might be in round numbers \$40,000,000. It then appears that there will be a probable net revenue for the next two fiscal years in round numbers \$38,000,000. The total requests made by all departments and institutions for maintenance during the next two fiscal years amount in round numbers to \$43,000,000. It then appears that the requests made for appropriations by the Legislature will exceed the probable revenue by \$5,000,000. It will be observed that these amounts are merely estimates, and in making appropriations the Legislature should bear in mind that said estimates have not been borne out in actual collections and probably in this we may find the cause of the present deficiency of \$2,000,000. To prevent a recurrence of another deficiency by this administration, business prudence should anticipate the total revenue at being not more than \$35,000,000, or ten per cent less than the usual estimate.

In my opinion, appropriations should be reduced to at least \$30,000,000, or at the outside not more than 35,000,000. In any event, in order to keep appropriations within constitutional bounds, the greatest care must be observed not to greatly anticipate revenues. The people are demanding that appropriations against the general revenue be kept within constitutional limits and I know your honorable body will be only too eager to respect that popular demand.

In order that we may know with some degree of certainty just how much money may be available for